Single [illegible]

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. No. 3834 / 2004.

PETITIONER : PANCH RAM TANDEKAR S/O PREM SINGH, Peon, Aged about 43 years, R/o village Mangchuva, Tahsil-Daundilohara, Dist. Durg (C.G.)

P.R. No. 3837/04
Presented by Shri N. Malik
dated 12.10.04

V E R S U S

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Secretariate, Raipur (C.G.).
2. Collector, Durg, office - situated at Durg (C.G.).
3. D.E.O., Daundilohara, office-situated at Daundilohara, Dist. Durg (C.G.).
4. D.E.O., Bemetara, office - situated at Bemetara, Dist. Durg (C.G.).

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11/X/04
Clerk to A. G. Bilaspur

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS/PROHIBITION /CERTIORARI/DIRECTION/DIRECTIONS, ORDER/ORDERS.

PARTICULARS OF THE PETITIONER :

(16)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3834/04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	15-12-2004 Shri N.S. Dhurandar, counsel for the petitioner. Shri Satish Gupta, Dy. Govt. Advocate for the State Application for urgent hearing is allowed. Heard. Shri Dhurandar, learned Counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred vide order dated 31-7-2004 (Annexure-P/1). He also submits that the petitioner is presently posted and working as Peon in Government Higher Secondary School. He also submits that in the transfer order it has been mentioned that the petitioner has transferred on his own request whereas he has never applied or requested for his transfer. He also submits that for the present the petitioner may be given an opportunity of filing a detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such	

GRPRJ—FS/78—9/2004—50,000.

XI-HC—78

(12)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3834/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P.No.4243/04 & I.A.No.7910/04 also stand disposed of.

Sd/-
Fakhruddin
Judge

Gowri